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COMMISSION ON THE STATUS OF WOMEN
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Agenda item 3

FOLLOW-UP TO THE FOURTH WORLD CONFERENCE ON WOMEN

Fiji*, Ghana* and Philippines: draft resolution

Violence against women migrant workers

The Commission on the Status of Women,

Bearing in mind the Charter of the United Nations, which reaffirms faith in human rights and fundamental freedoms, in the dignity and worth of the human person, and in the equal rights of women and men,

Reaffirming the principles set forth in the Universal Declaration of Human Rights 1/ and the Convention on the Elimination of All Forms of Discrimination against Women, 2/

Recalling General Assembly resolutions 47/96 of 16 December 1992, 48/110 of 20 December 1993, 49/165 of 23 December 1994 and 50/168 of 22 December 1995 and Commission on the Status of Women resolutions 38/7 of 18 March 1994 3/ and

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* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

1/ General Assembly resolution 217 A (III).

2/ General Assembly resolution 34/180.

3/ Official Records of the Economic and Social Council, 1994, Supplement No. 7 (E/1994/27), chap. I, sect. C.

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39/7 of 31 March 1995, 4/ as well as the Declaration on the Elimination of Violence against Women adopted by the General Assembly at its forty-eighth session, 5/

Welcoming the conclusions and recommendations made by recent international conferences, including the World Conference on Human Rights held in Vienna in June 1993, the International Conference on Population and Development held in Cairo in September 1994, the World Summit for Social Development held in Copenhagen in March 1995 and the Fourth World Conference on Women held in Beijing in September 1995, on the promotion and protection of the rights and fundamental freedoms of women, in particular women migrant workers,

Noting the large numbers of women from developing countries and from some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions,

Recognizing that it is the duty of sending countries to protect and promote the interests of their citizens who seek or receive employment in other countries, to provide them with appropriate training/education and to apprise them of their rights and obligations in the countries of employment,

Aware of the moral obligation of receiving or host countries to ensure the human rights and fundamental freedoms of all persons within their boundaries, including migrant workers, who are doubly vulnerable because of their gender and their being foreigners,

Noting the measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Noting with concern, however, the continuing reports of grave abuses and acts of violence committed against women migrant workers by some of their employers in some host countries,

Stressing that acts of violence directed against women impair or nullify women's enjoyment of their human rights and fundamental freedoms,

1. Reiterates its call for States Members of the United Nations to adopt measures for the effective implementation of the Declaration on the Elimination of Violence against Women, including their application to women migrant workers;

2. Invites States concerned, specifically those sending and receiving women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address these problems, setting up, as appropriate, linguistically and culturally accessible services and mechanisms to

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4/ Ibid., 1995, Supplement No. 6 (E/1995/26), chap. I, sect. C.

5/ General Assembly resolution 48/104.

implement those measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of society in which they reside;

3. Encourages States Members of the United Nations, particularly those from which women migrant workers originate and those that play host to them, to ensure the protection of the rights and fundamental freedoms of women migrant workers as defined by international conventions and agreements and by the outcome of recent international conferences;

4. Calls upon States Members to adopt and/or implement and periodically review and analyse legislation to ensure its effectiveness in eliminating violence against women, including women migrant workers, emphasizing the prevention of violence and the prosecution of offenders, to take measures for the protection of women, particularly women migrant workers, who are subjected to violence, and to ensure access to just and effective remedies, including compensation and indemnification and healing of victims, and rehabilitation of perpetrators;

5. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; 6/

6. Calls upon States to explore the possibility of adopting measures to prevent the victimization of women migrant workers by sexual traffickers and to penalize those traffickers, including the ratification of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; 7/

7. Calls for the organization/establishment of a mechanism under the aegis of the Centre for Human Rights/United Nations High Commissioner for Human Rights, in coordination with the Division for the Advancement of Women, to be funded from the existing funds of relevant United Nations bodies and from voluntary contributions by intergovernmental and non-governmental organizations, which would have the following functions, among others:

(a) Conduct continuing studies on the situation of migrant workers on a global and/or regional basis;

(b) Disseminate information on migrant worker issues;

(c) Provide training and information to migrant workers to enable them to assert their rights and fundamental freedoms;

(d) Make recommendations on measures to address, from cross-sectoral, interregional, regional and subregional perspectives, the issues affecting migrant workers, in particular women migrant workers;

6/ General Assembly resolution 45/158.

7/ General Assembly resolution 317 (IV).

(e) Serve as a forum for the exchange of views, expertise and the like on migrant workers;

(f) Organize seminars, consultations and conferences on issues affecting migrant workers, particularly women migrant workers;

8. Reiterates its recommendation to the Commission on Human Rights to make the protection and promotion of the rights of women migrant workers one of its priority concerns, and for the Special Rapporteur of the Commission to continue to include among the urgent issues pertaining to her mandate the violence perpetrated against women migrant workers;

9. Welcomes the scheduled holding from 27 to 30 May 1996 of the United Nations Expert Group meeting on the issue of violence against women migrant workers, and requests that the Group's report be submitted to the General Assembly at its fifty-first session, through the Economic and Social Council, and that recommendations for concrete indicators to determine the situation of women migrant workers in sending and receiving countries be included in the report of the Secretary-General to the General Assembly at its fifty-first session, together with the reports of the Special Rapporteur on violence against women and of relevant United Nations bodies and intergovernmental and non-governmental organizations.